

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.9292 of 2017

S.Manikam

... Petitioner

Vs.

1.The District Collector,
Salem District, Salem

2.The Revenue Divisional Officer,
Mettur Division, Salem District.

3.The Tahsildar,
Mettur Taluk, Salem District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to consider and pass orders on the representation of the petitioner dated 06.02.2017 on merits by considering the documents submitted by the petitioner with the stipulated period.

For Petitioner : Mr.G.Kesavan

For Respondents : Mr.R.S.Selvam,
Government Advocate

O R D E R

The petitioner, who is "A" party, has filed the above Writ Petition to issue a writ of mandamus directing the respondents to consider and pass orders on the representation of the petitioner dated 06.02.2017 within a time frame.

2.It is the case of the petitioner that the petitioner is a Priest in Arulmigu Karuppasamy and Ayyanarappan Temple situated at Kacharayanur, Mettur Taluk, Salem and the deity is the family deity of the petitioner. According to the petitioner, there was a dispute between the Pangali group in the year 2006 and a police complaint was lodged and a case was registered in Crime No.448 of 2006 under Section 145 of the Criminal Procedure Code. Subsequently, the civil cases filed by both A and B parties were

also dismissed. On 06.02.2017, the petitioner made a representation for permitting him to conduct Vaikasi Thevam in the Temple by conducting poojas by using the ornaments which is under the custody of the Temple Managing Trustee.

3.The learned counsel for the petitioner submitted that though the petitioner had submitted the representation as early as on 06.01.2017, the 2nd respondent has not considered the same yet.

4.Mr.R.S.Selvam, learned Government Advocate taking notice for the respondents submitted that the 2nd respondent may be directed to consider the petitioner's representation, after giving notice to the "B" party and pass orders in accordance with law.

5.In view of the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to consider the petitioner's representation dated 06.02.2017 and after giving notice to the "B" party, pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6.With these observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

va

Sub Assistant Registrar

To

1.The District Collector,
Salem District, Salem

2.The Revenue Divisional Officer,
Mettur Division, Salem District.

3.The Tahsildar,
Mettur Taluk, Salem District.

+lcc to Mr.Kesavan, Advocate, S.R.No.23339

+lcc to the Government Pleader, S.R.No.23531

W.P.No.9292 of 2017

KJ(CO)

RS(21/04/2017)